



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

October 7, 2009

Allen Roberts

REDACTED

Re: Warning Letter FPPC No. 08/0115; Allen Roberts

Dear Mr. Roberts:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a complaint filed against you that alleged that you failed to file required campaign statements in 2007.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you made approximately \$7,363 of independent expenditures in the year 2007 in support of the qualification of a Pleasanton City referendum and initiative and were required to file a semi-annual statement for the period January 1 through December 31, 2007, to report the expenditures.

The Act provides in Section 82013, subdivision (b) that any person who makes independent expenditures of \$1,000 or more in a calendar year is a committee. Section 84200, subdivision (b) requires all committees pursuant to Section 82013, subdivision (b) to file semi-

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

annual statements no later than January 31 for the period ending December 31.

Your actions violated the Act because you failed to file a semi-annual statement for the period ending December 31, 2007, by January 31, 2008, as required by Section 84200, subdivision (b).

You must immediately file a semi-annual statement for the period January 1 through December 31, 2007, with the City Clerk of the City of Pleasanton to report the expenditures you made in connection with the qualification of the referendum opposing the Oak Grove Project and initiative titled "Save Pleasanton's Hills & Housing Cap."

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is a FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Grant Beauchamp

Program Specialist

Enforcement Division